

ENTERED

December 04, 2019

David J. Bradley, Clerk

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

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|--------------------------|---|-----------------------|
| UNITED STATES OF AMERICA | § | |
| | § | |
| VS. | § | MAG. NO. 2:19-MJ-4460 |
| | § | |
| JESUS DIAZ | § | |

MEMORANDUM OPINION AND ORDER OF DETENTION PENDING TRIAL

A detention hearing has been held in accordance with the Bail Reform Act, 18 U.S.C. § 3142(f). The following requires detention of the defendant pending trial in this case:

(1) There is probable cause to believe the defendant committed an offense for which a maximum term of imprisonment of ten years or more is prescribed in 21 U.S.C. § 841(b)(1)(A); and


(2) The defendant has not rebutted the presumption that no condition or combination of conditions will reasonably assure the appearance of the defendant as required and the safety of the community.

The evidence against the defendant is substantial. The findings and conclusions contained in paragraphs one through six of the Pretrial Services Report are adopted. Although the Defendant has no criminal history, this case involved a huge amount of methamphetamine suspended in liquid in Defendant's truck's gas tank. The Defendant admitted crossing the border from Mexico in the truck, and he admitted to having done so more than once. The liquid form of methamphetamine is hazardous, and the Defendant, while addicted to drugs, placed everyone around him and everyone on the road in danger

of an explosion. The Defendant admitted to having been arrested at one point with \$13,000 cash representing drug proceeds. The Defendant is only 18 and yet he seems heavily involved in the drug trade and the importation of dangerous drugs from Mexico. His mother is illegally in the United States. The Defendant was sent to treatment by his mother but evidently returned to regular daily use of marihuana. He is a poor bond risk.

The defendant is committed to the custody of the United States Marshal or his designated representative for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant shall be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver the defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

ORDERED this 4th day of December, 2019.


B. JANICE ELLINGTON
UNITED STATES MAGISTRATE JUDGE